

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In re:

BIRDSALL SERVICES GROUP, INC., et al.,

Debtors.

**EDWIN H. STIER, CHAPTER 7 TRUSTEE FOR
BIRDSALL SERVICES GROUP, INC., et al. and
PARTNER ASSESSMENT CORPORATION,**

Plaintiffs,

v.

T&M ASSOCIATES and MARK WORTHINGTON,

Defendants.

MARK WORTHINGTON,

Third-Party Plaintiff,

v.

**PHILIP ANGARONE, HOWARD BIRDSALL,
WILLIAM BIRDSALL, ROBERT GERARD, ALAN
HILLA, JAMES JOHNSTON, SCOTT R.
MACFADDEN, EILEEN KUHF AHL-SPEARS,
THOMAS ROSPOS, and JOHN DOE 1-10,**

Third-Party Defendants.

Chapter 7

Case No. 13-16743 (MBK)

(Jointly Administered Case No. 13-16746)

Hon. Michael B. Kaplan

Adv. Pro. No.: 13-1772 (MBK)

NOTICE OF FILING OF CROSS MOTION UNDER SEAL

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PLEASE TAKE NOTICE that on **January 31, 2014**, the undersigned, separately and as attorneys for *Counsel to Edwin H. Stier, Chapter 7 Trustee and Partner Assessment Corporation*, respectively, filed with the Honorable Michael B. Kaplan, United States Bankruptcy Judge, United States Bankruptcy Court, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, a Notice of Cross-Motion, pursuant to Bankruptcy Rule 7015 and Fed. R. Civ. P. 15 for leave to file a First Amended Adversary Complaint in the form annexed to the Notice of Cross-Motion. In addition, plaintiffs through their cross-motion sought to unseal the submissions relating to the motion to dismiss, etc. of defendant T&M Associates, as well as cross-motion. In support of the cross-motion, plaintiffs shall reply upon the following, submitted under seal pursuant to the Consent Order Concerning Discovery Confidentiality dated September 19, 2013 ("Confidentiality Order"): (i) notice of cross-motion with annexed proposed First Amended Adversary Complaint, (ii) the Letter Brief submitted by Partner's counsel, (iii) the Application submitted by the Trustee's counsel, and (iv) the submissions previously made by

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's direction, the corresponding pleadings have been filed with chambers because they reference information subject to the Confidentiality Order.

WASSERMAN, JURISTA & STOLZ, P.C.
Counsel to Edwin H. Stier, Esq.,
Chapter 7 Trustee

By: DONALD W. CLARKE

By: KENNETH L. MOSKOWITZ

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